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PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

No. S. R. 4666—L. W. 36-43-16, dated Bangalore, the 15th February 1946.

In exercise of the powers vested in them under Section 14 of the Mysore Maternity Benefit Act III of 1937 as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information the following revised draft of the 'Mysore Maternity Benefit Rules', appended hereto in place of the existing rules, published with Notification No. D. 981—I. & C. 293-36-7, dated 29th July 1937.

Any objections or modifications, etc., to the above rules may be forwarded in writing to the undersigned so as to reach this office not later than two months from the date of publication of this notification in the *Mysore Gazette*, after which the draft rules will be taken up for consideration.

Any objections, modifications or suggestions received after that date will not receive attention.

MOHAMED ISMAIL SHERIFF, *Gen. Secy.*

In exercise of the powers conferred by Section 14 of the Mysore Maternity Benefit Act III of 1937 and Mysore Maternity Benefit (Amendment) Act XXXI of 1942, the Government of His Highness the Maharaja of Mysore are pleased to publish the following rules as required by sub-section (4) of Section 14 of the said Act, namely:—

Mysore Maternity Benefit Rules, 1945.

1. These Rules may be called the Mysore Maternity Benefit Rules, 1945. Short title.

2. In these rules unless there is anything repugnant in the subject or context.— Definitions.

(*a*) "the Act" means the Mysore Maternity Benefit Act, III of 1937 and the Mysore Maternity Benefit (Amendment) Act, 1942;

(*b*) "form" means a form appended to these rules;

(*c*) "muster roll" means a muster roll maintained under Rule 3;

(*d*) "section" means a section of the Act.

Muster Roll.

3. (1) Every employer in a mine/factory in which women are employed shall prepare and maintain a muster roll in Form A appended to these rules. The names and record of employment of all women employed in the mine/factory shall be entered therein and also the other particulars prescribed therein.

(2) All entries in the muster roll shall be made in ink and maintained up-to-date and the Inspector may inspect it on the premises at any time during the working time of the mine or factory.

(3) The employer may enter in the muster roll such other particulars as he may wish for any other purpose.

Form of notice under Section 6 (1).

4. The written notice referred to in sub-section (1) of Section 6 shall be in Form 'B'.

Form of notice referred to in Form A in Rule 3.

5. The notice regarding the birth of child referred to in the form A in Rule 3 shall be in form 'C'.

Supply of Forms.

6. The employer shall supply to the women, at her request, free of cost, copies of forms 'B and C'.

Medical Examination.

7. (1) The qualified medical practitioner referred to in the proviso to sub-section 3 (i) of Section 6 shall be a female, if the woman so desires.

(2) The certificate referred to in the proviso to sub-section 3(i) of Section 6 shall be in Form 'E'.

(3) Medical practitioners and midwives referred to in these rules shall have qualifications not less than those qualified to assist a delivery.

Casual Absence.

8. Absence from employment up to a maximum period of 26 days during the six months preceding the date of delivery shall be treated as casual absence.

Proof.

9. The fact that a woman has been confined or is dead shall be proved by the production either of a certificate to that effect from a qualified medical practitioner or of a certified copy of an extract from a birth and death register maintained under the provisions of any law.

Payment of maternity benefit.

10. (1) Payment against a claim of maternity benefit shall be made by the employer to the woman concerned or to a person nominated by her in writing, or in case of her death, to the person entitled to it.

In case of doubt the amount may be paid by the employer to the Chief Inspector who shall pay it to the person who, in his opinion, is entitled to receive it.

(2) Whenever the payment referred to in sub-rule (1) is made, a receipt shall be obtained by the employer from the person to whom the payment is made in Form 'D'. Where the amount has been paid to the Chief Inspector, the receipt shall be supplied to the employer by the Chief Inspector.

Records.

11. Records relating to the payment of maternity benefit kept under the provisions of the Act or these rules shall be preserved for a period two years from the date of their preparation.

Duties and powers of Chief Inspector and Inspectors.

12. (1) The Chief Inspector shall have jurisdiction and shall be responsible for the due administration of the Act and these Rules throughout the State.

(2) Every Inspector shall be responsible for the due observance of the Act and these rules within the area assigned to him by the Chief Inspector.

(3) The Chief Inspector and Inspector shall have power within their respective jurisdictions—

(*a*) to require the production of, and to examine such records as are maintained in the mine/factory under the Act or these rules;

(*b*) to make such enquiries and to require the production of such papers or documents as may be necessary for the purpose of ascertaining whether the provisions of the Act and of these rules have been or are being properly carried out in any mine/factory: provided that he shall not require any employer to answer any question, or give any evidence, tending to incriminate himself.

(4) Every notice given under sub-section (1) of section 6 and every receipt for maternity benefit or bonus paid to any person under the provisions of the Act or of these rules, shall, on demand be produced before the Chief Inspector or an Inspector.

(5) Without prejudice to the generality of sub-rules 1 and 2, the Chief Inspector or an Inspector shall at each inspection of a mine/factory see—

(*a*) whether due action has been taken on every notice given under sub-section (1) of section 6;

(*b*) whether the muster roll prescribed by rule 3 is correctly maintained;

(*c*) whether there have been any cases of dismissal or notice of dismissal in contravention of section 8 since the last inspection.

(6) An Inspector may issue orders in writing to the employer asking for the correction of all irregularities against the Act or these rules noticed by him.

Penalty.

13. Any person who contravenes any of the provisions of rules 3, 6, 10, 11 and 12 shall on conviction be punishable with fine which may extend to fifty rupees.

Return.

14. Every employer of women in a mine/factory shall furnish to the Chief Inspector by 1st of August in each year, a return in Form "F" appended to these rules.

FORM 'A'

(*See Rule 3*).

FORM OF MUSTER ROLL.

Month of..... 194 .

Name of the Factory/ Mine :

Muster Roll to be maintained up-to-date under the Mysore Maternity Benefit Act.

	Name of woman (employee)	Department	Ticket or Departmental No.	Father's name (or, if married husband's name)	Nature of her work	Dates with month and year in which she is employed and not employed	Date on which the woman gives notice under sub-section (1) of Section 6	Date of production of a medical certificate under the proviso to sub-section (3) of Section 6	Date of birth of child	Date on which the woman gives notice of birth of child	Date of production of proof of birth	Date of production, if any of proof of death of a woman worker	Date with the amount of payment of first instalment of maternity benefit.	Date with the amount of payment of subsequent instalment of maternity benefit	If the woman dies, the name of the person to whom maternity benefit was paid, the amount thereof, and the date of payment	Name of the person, if any, nominated by the woman to receive the maternity benefit	Remarks column for the use of the Inspector

FORM 'B'

(See Rule 4)

Notice under Section 6 (1) of the Mysore Maternity Benefit Act III of 1937 and Mysore Maternity Benefit (Amendment Act XXXI of 1942).

Name of Employer.

I..... wife/daughter of.....employed as .... at ..... mine/factory, hereby give notice that I expect to be confined within one month next following from the date of this notice and that I will absent myself from the mine/factory with effect from .....

2. I hereby nominate ..... (name and full address of the nominee to be given) to receive maternity benefit due to me in case of my death.

Given this day

Signature or Thumb Impression.

Signature of an attestor in case the women is not able to sign and affix thumb impression.
Address.—

To—The Employer.

(Name of Mine/Factory and full postal address)
Strike out where not applicable.

FORM 'C'

(See Rule 5)

Name of Employer.

I.....wife/daughter of .....employed as ..... at..... Mine/Factory, hereby give notice that I gave birth to a child on the.....(date).

I hereby nominate..... ..... (name and full address of the nominee to be given) to receive maternity benefit due to me in case of my death.

Given this day

Signature or Thumb Impression.

Signature of an attestor in case the Woman is not able to sign and affix thumb impression.

To—The Employer,

(Name of Mine/Factory and full postal address).
Strike out where not applicable.

FORM 'D'

See Rule 10 (2)

Form of Receipt for Maternity Benefit.

Name of Mine/Factory .....

I .....the undersigned, a woman-worker.....
the nominee of..... .....woman-worker acting
on behalf of.....woman-worker, legal representative
of.....woman-worker, deceased in .....
(name of Mine/Factory) at ..... in ... .
District received Maternity benefit under the Mysore Maternity Benefit Acts III of 1937 an XXXI of 1942 from the employer referred to above as detailed below.

*Rs. ... .being the first instalment after the confinement paid on..... Rs. ..... being the second instalment after the confinement paid on.....

*My / Her confinement..... .....took place on.....
in consequence I ....s' death.

*Her nominee or acting on her behalf / being her legal representative have received the aforesaid amounts prescribed under sub-section (3) of Section 6 of the Mysore Maternity Benefit Acts III of 1937 and XXXI of 1942.

Signature.

Signature or left-thumb impression of
Woman-worker / the nominee or the person working on behalf of the workers*
Worker / The legal representative of the woman-worker

Signature of an attestor in case the woman is not able to sign and affix thumb impression.

FORM 'E'

(*See Rule 7* (2)

Certificate referred to in Section 6 (3) (i) of the Mysore Maternity Benefit Acts III of 1937 and XXXI of 1942.

This is to certify that I examined .....
Wife / Daughter of ....., a woman-worker in .....
.....Mine/Factory at ... . in the District
of ..... on ....(date and *(strike out where
not applicable found / cannot discover that she is pregnant and is expected to be
delivered of a child within ....months and/or .....
days from the abovementioned date.

Signature, Qualifications and Designation of the Medical Practitioner or Midwife.

FORM F.

(See Rule 15).

Return to be submitted to the Chief Inspector of Factories/Mines on or before the 1st of August each year.

Name of Factory/Mine ...	
Name of Occupier/Proprietor ...	
Name of Manager/Superintendent ...	
Year ending 30th June ...	
Average No. of women employed daily.	
Number of women who claimed Maternity Benefit under Section 6 (1) of the Act.	
Number of women who were paid Maternity Benefit for actual births.	
Number of other persons who were paid Maternity Benefit (Section 7).	
Total amount of Maternity Benefit paid.	

Dated..... *(Signature)*

..... *Employer* .....

No. T. 2497—R. T. 23-45-13, dated Bangalore, the 18th March 1946.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following amendment shall be made to the Mysore Civil Motor Cars Control Order, 1945:—

In the Second Schedule annexed to the said Order after the sub-headings under columns 1 to 5 the following shall be inserted, namely:—

1	*2*	*3*	*4*	*5*
1	Messrs. Addison & Co., Ltd., Post Box 308, Mount Road, Madras.	Madras	Mysore	Daimler, Lanchester and Morris.
2	Messrs. The Union & Co., Post Box 331, Mount Road, Madras.	Madras	Mysore	Standard, Wolsely and Hudson.

No. T. 2507—R. T. 36.45-7, dated Bangalore, the 18th March 1946.

In exercise of the powers conferred by Sub-section (ii) of Section 1 of the Mysore Motor Vehicles and Road Traffic Amendment Act, 1946 (Act No. VII of 1946), the Government of His Highness the Maharaja are pleased to direct that the aforesaid Act shall come into force in Mysore with effect from 1st of April 1946.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. C. 1722—C.O. 74-45-2, dated Bangalore, the 13th March 1946.

In exercise of the powers conferred by sub-rule, (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to make the following order and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of the order shall be given by the publication of the same in the Gazette and by the issue of a Press Note explaining its provisions:—

1. (1) This Order may be called the (Mysore) Indian Cotton (Control) Order, 1946;

(2) It extends to the whole of Mysore State; and

(3) It shall come into force at once.

2. In this Order—

(*a*) "Contract" means a contract made or to be performed in whole or in part in Mysore relating to the sale or purchase of cotton;

(*b*) "Forward Contract" means a contract for the delivery of cotton at some future date;

(*c*) "Option in cotton" means an agreement made or to be performed in whole or in part in Mysore for the purchase or sale of a right to buy or a right to sell or a right to buy or sell, cotton in future and includes a "teji", a "mandi" or a "teji-mandi" in cotton;

(*d*) the expression "Textile Commissioner" has the same meaning as it has in the Cotton Cloth and Yarn (Control) Order, 1945.

3. Subject to clause 5 of this order, no person shall enter into—

(*a*) any contract; or

(*b*) any option in cotton.

4. All contracts and options in cotton entered into or made after the commencement of this Order in contravention of clause 3 shall be void.

5. The Textile Commissioner may, by general order and subject to such restrictions and conditions as he may prescribe, exclude from the operation of this Order any class or description of contracts.

6. The Textile Commissioner or any officer authorised by him in this behalf may, with a view to securing compliance with this Order—

(*a*) require any person to give any information in his possession with respect to any business carried on by that or any other person;

(*b*) inspect or cause to be inspected any books or documents belonging to or under the control of any person;

(*c*) enter and search or authorise any person to enter and search any premises and seize or authorise any person to seize any books or documents which appear to him to afford evidence of a contravention of this Order.

7. The Cotton (Forward Contracts in Current Crops Prohibition) Order, 1945, and the Cotton (Forward Contracts and Options Prohibition) Order, 1945, are hereby repealed:

Provided that the repeal of any of the said Orders or of the Cotton (Forward Contracts in Current Crops Prohibition) Order, 1943 and the Cotton (Forward Contracts and Options Prohibition) Order, 1943, shall not affect any right, privilege or liability acquired or incurred by or under any contract permitted to be made under any of the said Orders.

No. C. 1723—C.O. 1-45-112, dated Bangalore, the 13th March 1946.

In exercise of the powers conferred by clause (c) of sub-section (1) of Section 3 of the Hoarding and Profiteering Prevention Act, 1944 (Act XXII of 1944) and in supersession of their notification No. C 579—C.O. 1-45-69, dated 3rd December 1945, the Government of His Highness the Maharaja are pleased to fix as follows the maximum prices which may be charged by a dealer in respect of the canned jams and fruits manufactured by Messrs. India Fruit Co., North-West Frontier Province, specified below :—

Description	*Maximum retail prices per 30-oz. can.*
	Rs. a. p.
Peaches Jam	1 14 0
Apricots Jam	1 14 0
Pears Jam	1 14 0
Canned tomatoes	1 8 0
Canned plums	1 10 0

NOTE.—The manufacturers shall allow a discount of 20 per cent on the above prices to retailers.

No. C. 1731—C.O. 1-45-110, dated Bangalore, the 13th March 1946.

In exercise of the powers conferred by clause (c) of sub-section (1) of Section 3 of the Hoarding and Profiteering Prevention Act, 1944 (Act XXII of 1944), the Government of His Highness the Maharaja are pleased to direct that the following amendment shall be made in the

Notification No. C. 692—C.O. 1-45-79, dated 15th December 1945, *viz.*—

In part I of the Schedule annexed to the said Notification, for the entries against serial numbers 53 to 55 the following shall be substituted :—

	Number				Rs.	a.	p.
53	Waterman	302	...	...	14	4	0
54	Do	352	...	...	16	0	0
55	Do	515	...	...	22	8	0
55A	Do	555	...	...	24	8	0
55B	Do	875	...	...	37	12	0
55C	Do	1003	...	...	45	0	0

E. V. GANAPATI IYER, *Civil Supplies Secy.*

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